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E-FILED - 8/16/10

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

PATRIA L. NOBLEZA, JEROME F.
HARBINSON, AND JOHN D. BURNS,

Plaintiffs,

v.

MACY'S, INC., MACY'S INC. PENSION
AND PROFIT SHARING
ADMINISTRATIVE COMMITTEE, THE
MACY'S INC. BOARD OF DIRECTORS,
KAREN M. HOGUET, DAVID W. CLARK,
STEPHEN J. O'BRYAN, ROBERT G.
ZIMMER, TERRY J. LUNDGREN, MEYER
FELDBERG, SARA LEVINSON, JOSEPH
NEUBAUER, JOSEPH A. PICHLER, JOYCE
M. ROCHE, KARL M. VON DER HEYDEN,
CRAIG E. WEATHERUP, MARNA C.
WHITTINGTON, WILLIAM STIRITZ, DOE
DIRECTOR DEFENDANTS NUMBER 1-25,
DOE COMMITTEE DEFENDANTS
NUMBER 1-25,

Defendants.

Case No. C 10-02064 RMW

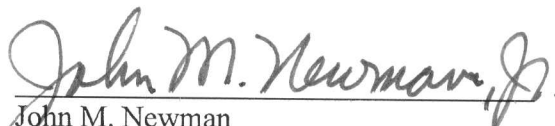
**STIPULATION AND [XXXXXXXXXXXX]
ORDER REGARDING DEADLINES
FOR OPPOSITION AND REPLY
BRIEFS IN RESPONSE TO
DEFENDANTS' MOTION TO
DISMISS**

Date: October 1, 2010
Time: 9:00 a.m.
Courtroom: 6
Judge: Hon. Ronald M. Whyte

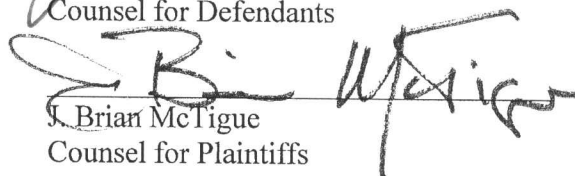
The parties have conferred and stipulate to the following:

1. Defendants will file their motion to dismiss on July 19, 2010.
2. Based on prior discussion with Plaintiffs, when Defendants file their motion, they will set the motion for hearing on **October 1, 2010** at 9:00 am.
3. Because this hearing date allows for more than 35 days between the motion and the hearing, the Parties have agreed to a briefing schedule different from that required by Local Rule 7-3.
4. Plaintiffs will file their opposition to the motion to dismiss no later than August 20, 2010.
5. Defendants will file their reply in support of the motion to dismiss no later than September 10, 2010.

Date: July 19, 2010



John M. Newman
Counsel for Defendants



J. Brian McLigue
Counsel for Plaintiffs

PURSUANT TO STIPULATION, IT IS SO ORDERED:


Honorable Ronald M. Whyte

8/16/10

Date